



JCO6 Rec'd PCT/PTO 21 OCT 2005  
Full  
PCT

Docket No.: 069804-0077

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Customer Number: 20277  
Katsuhiko HAYASHI, et al. : Confirmation Number: 5817  
Application No.: 10/535,339 : Group Art Unit: 2872  
Filed: May 18, 2005 : Examiner: Not yet assigned

For: OPTICAL PICKUP LENS DEVICE AND INFORMATION RECORDING AND  
REPRODUCING DEVICE USING THE SAME

**REQUEST FOR CORRECTED FILING RECEIPT**

Mail Stop OIPE - Filing Receipt Corrections  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached is a copy of the Filing Receipt received from the U.S. Patent and Trademark Office in the above-referenced application. It is noted that the first inventor's first name is listed in correctly. The first inventor's name should read:

**Katsuhiko HAYASHI**

Attached is a copy of the declaration as filed, which evidences the correct spelling of the first inventor's first name. It is requested that a corrected filing receipt be issued.

Respectfully submitted,

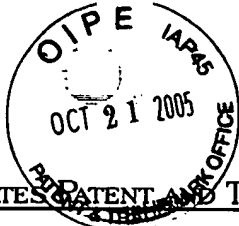
McDERMOTT WILL & EMERY LLP

  
Michael E. Fogarty  
Registration No. 36,139

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
Phone: 202.756.8000 MEF:ete  
Facsimile: 202.756.8087  
Date: October 21, 2005



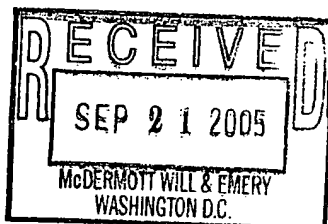
UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/535,339	05/18/2005	2872	900	069804-0077	10	4	2

20277  
 MCDERMOTT WILL & EMERY LLP  
 600 13TH STREET, N.W.  
 WASHINGTON, DC 20005-3096



CONFIRMATION NO. 5817

FILING RECEIPT



OC000000016984622\*

Date Mailed: 09/15/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

→ Katsuhiko  
 Katano-Hayashi, Katano, JAPAN; -  
 Yasuhiro Tanaka, Nishinomiya, JAPAN; -  
 Michihiro Yamagata, Osaka, JAPAN; -  
 Yoshiaki Komma, Hirakata, JAPAN; -  
 Fumitomo Yamasaki, Nara, JAPAN; -

**Power of Attorney:** The patent practitioners associated with Customer Number 20277. ✓

**Domestic Priority data as claimed by applicant**

This application is a 371 of PCT/JP04/10159 07/09/2004 ✓

**Foreign Applications**

JAPAN 2003-195582 07/11/2003 ✓  
 JAPAN 2004-137594 05/06/2004 ✓

**Projected Publication Date:** 12/22/2005

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

Optical pickup lens device and information recording and reproducing device using the same

**Preliminary Class**

359

## **PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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### **LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15**

#### **GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof

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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



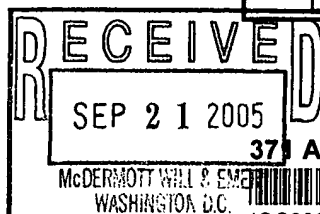
## UNITED STATES PATENT AND TRADEMARK OFFICE

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P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/535,339	Katano Hayashi	069804-0077

INTERNATIONAL APPLICATION NO.
PCT/JP04/10159

20277  
MCDERMOTT WILL & EMERY LLP  
600 13TH STREET, N.W.  
WASHINGTON, DC 20005-3096



I.A. FILING DATE	PRIORITY DATE
07/09/2004	07/11/2003

CONFIRMATION NO. 5817

371 ACCEPTANCE LETTER

McDERMOTT WILL & EMERY LLP  
WASHINGTON, D.C.

\*0000000016984623\*

Date Mailed: 09/15/2005

**NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495**

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>05/18/2005</u>	<u>05/18/2005</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 05/18/2005
- English Translation of the IA filed on 05/18/2005
- Copy of the International Search Report filed on 05/18/2005
- Preliminary Amendments filed on 05/18/2005
- Information Disclosure Statements filed on 05/18/2005
- Oath or Declaration filed on 05/18/2005
- Request for Immediate Examination filed on 05/18/2005
- U.S. Basic National Fees filed on 05/18/2005
- Priority Documents filed on 05/18/2005
- Power of Attorney filed on 05/18/2005
- Specification filed on 05/18/2005

- Claims filed on 05/18/2005
- Abstracts filed on 05/18/2005
- Drawings filed on 05/18/2005

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Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

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LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)



Docket No.:

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought on the invention entitled OPTICAL PICKUP LENS DEVICE AND INFORMATION RECORDING AND REPRODUCING DEVICE USING THE SAME, the specification of which

- ☐ is attached hereto.  
☒ was filed on July 9, 2004 as United States Application Number \_\_\_\_\_, or PCT International Application Number PCT/JP2004/010159 and was amended on \_\_\_\_\_ (if applicable), or  
☐ is a Continuation-In-Part (CIP) of Application Number \_\_\_\_\_, filed

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known to me to be material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56 including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35, United States Code, Section 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent or inventor's or plant breeder's right certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's, or plant breeder's rights certificate, or any PCT international application having a filing date before that of the application on which priority is claimed:

**Prior Foreign Applications(s):**

Number	Country	Day/Month/Year filed	Priority Claimed
2003-195582	Japan	11/7/2003	<input checked="" type="checkbox"/>
2004-137594	Japan	6/5/2004	<input checked="" type="checkbox"/>

I hereby claim the benefit under 35 United States Code, Section 119(e) of any United States provisional application(s) listed below.

**Prior Provisional Application(s):**

Application Number	Filing Date
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I hereby claim the benefit under 35, United States Code, Section 120 of any United States application(s) or 365(c) of any PCT international application designating the United States; listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35, United States Code, Section 112. I acknowledge the duty to disclose information which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

**Prior U.S. Application(s):**

Serial No.

Filing Date

Status: Patented, Pending, Abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:**

As a named inventor, I hereby appoint the registered practitioners of McDermott Will & Emery LLP, included in the Customer Number provided below, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

**CUSTOMER NUMBER 20277**

Send correspondence to the address associated with Customer Number 20277

McDERMOTT WILL & EMERY LLP  
600 13th Street, N.W.  
Washington, D. C. 20005-3096

Direct Telephone Calls to: Telephone (202) 756-8000

Full name of sole or first inventor: Katsuhiko HAYASHI

Inventor's signature: *Katsuhiko Hayashi*

Date: May 10, 2005

Residence: Katano, Japan

Citizenship: Japan

Post Office Address: 5-1-407, Myokenzaka, Katano-shi, Osaka 576-0021 Japan





Full name of second inventor: Yasuhiro TANAKA

Inventor's signature: *Yasuhiro Tanaka*

Date: May 10, 2005

Residence: Nishinomiya, Japan

Citizenship: Japan

Post Office Address: 6-6, Oidecho, Nishinomiya-shi, Hyogo 662-0036 Japan

Full name of third inventor: Michihiro YAMAGATA

Inventor's signature: *Michihiro Yamagata*

Date: May 10, 2005

Residence: Osaka, Japan

Citizenship: Japan

Post Office Address: 3-27-17-409, Hanatenhigashi, Tsurumi-ku, Osaka-shi, Osaka  
538-0044 Japan

Full name of fourth inventor: Yoshiaki KOMMA

Inventor's signature: *Yoshiaki Komma*

Date: May 10, 2005

Residence: Hirakata, Japan

Citizenship: Japan

Post Office Address: 1-36-7, Kuzuhamendoricho, Hirakata-shi, Osaka 573-1113  
Japan

Full name of fifth inventor: Fumitomo YAMASAKI

Inventor's signature: *Fumitomo Yamaseki*

Date: May 10, 2005

Residence: Nara, Japan

Citizenship: Japan

Post Office Address: 5142-10, Nakamachi, Nara-shi, Nara 630-8037 Japan